

EXHIBIT 12

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Case No. 1:19-cv-00477-CCE-LPA

THE ESTATE OF NAJEE ALI)
BAKER, by and through his)
Ancillary Administrator,)
Jemel Ali Dixon,)
)
 Plaintiff,)
)
 V.)
)
WAKE FOREST UNIVERSITY, et)
al.,)
)
 Defendants.)
-----)

VIDEOTAPE VIDEOCONFERENCE
DE BENE ESSE DEPOSITION
OF
LUCAS WILLE

MARCH 12, 2021
12:54 P.M. - 1:54 P.M. (EST)

MINNESOTA

Reported by: Michelle Maar, RDR, RMR, FCRR

1 We'd just have an inflow of people coming,
2 checking them in. It started to dwindle as time goes on
3 would be my guess, but still have people coming in later.
4 So I was still stationed out there.

5 And from what I've been told, it was a similar
6 party to the other two that I had worked at -- it was just
7 loud, people having fun.

8 Q. Okay. Did there come a part, I'm sorry, a point
9 during the evening when people started leaving the party?

10 A. Yes.

11 Q. And when people started leaving, where were you
12 located at that point?

13 A. In the same place I described before -- by the
14 grass right next to the road.

15 Q. And tell the jury what you recall observing,
16 first, when people started leaving the party.

17 A. Yeah. So after, so after people had begun
18 leaving the party, I specifically remember seeing three
19 people, they were kind of smaller and skinny, they started
20 walking out of the party.

21 And I saw a larger male, who was 6 foot 2, more
22 than 200 pounds, was wearing a black, long-sleeved T-shirt
23 and black pants, and he came out following them, and
24 started yelling at them to go get their gun, go get your
25 gun, go get your gun.

1 Q. Let's talk about that first group for a second.
2 You said they were smaller guys. Do you recall
3 anything, for example, about their hair?

4 A. Yeah. They had dreadlocks or cornrows maybe,
5 whatever they're called, and they were highlighted on the
6 tips.

7 Q. And you said there was a bigger guy.
8 And tell me again what he looked like and how he
9 was dressed.

10 A. Sure. He was 6 foot 2 I would estimate, more
11 than 200 pounds, and he had a black, long-sleeved T-shirt
12 on and black pants as well.

13 Q. Do you recall if he had anything tied around his
14 waist?

15 A. I do not recall.

16 Q. You said the second larger guy was yelling at the
17 smaller guys. Did the smaller guys yell back or respond?

18 A. No.

19 Q. Okay. We're going to show you what is going to
20 be Defendant's Trial Exhibit Number 2.

21 (Defendant's Exhibit 2 is marked for
22 identification.)

23 BY MR. KING:

24 Q. First of all, can you tell me what the
25 perspective is, where this camera is in relation to The

1 BY MR. KING:

2 Q. Going back to the larger guy dressed in all
3 black, a long-sleeved, black T-shirt, who was yelling go
4 get your gun, was there anyone else around when this
5 yelling was going on?

6 MR. FIERBERG: Objection. Move to strike.
7 Irrelevant. Lack of foundation. Leading.

8 THE WITNESS: I don't remember anybody
9 specifically, except for my co-worker, Aaron Burroughs.

10 BY MR. KING:

11 Q. Do you recall if there were any police officers
12 nearby when this person was yelling go get your gun?

13 A. I don't recall.

14 Q. And what was your reaction to the person yelling
15 go get your gun?

16 A. I mean it seemed just like trash talk, like
17 nobody had confirmed that they had a gun or said they were
18 going to get a gun or anything like that.

19 Q. Well, did you view it as a threat that someone
20 had a gun?

21 MR. FIERBERG: Objection. Leading.

22 THE WITNESS: No.

23 BY MR. KING:

24 Q. Did you view it as a threat that someone was
25 going to get a gun and bring it back to The Barn?

1 A. No.

2 MR. FIERBERG: Objection. Leading.

3 BY MR. KING:

4 Q. Did you -- after you heard this larger
5 African-American male, dressed all in black, yell go get
6 your gun, did you go find a police officer and report what
7 you had heard?

8 A. No.

9 MR. FIERBERG: Objection. Lack of foundation.
10 Misrepresents the identification.

11 BY MR. KING:

12 Q. And why not?

13 A. For a few reasons -- as I already said, it seemed
14 like trash talk. And there wasn't a confirmed gun. Nobody
15 said they had a gun. Nobody said I'm going to go get my
16 gun.

17 So I mean both parties, both involved parties
18 were leaving the party.

19 And that also, just right after that, there was a
20 gunshot. And the party had already shut down prior to
21 that, so the situation had changed.

22 Q. What did the big guy in all black do after he
23 yelled go get your gun at that first group?

24 A. He followed --

25 MR. FIERBERG: Objection to the form of the

CERTIFICATE OF REPORTER

STATE OF NORTH CAROLINA AT LARGE, to wit:

I, Michelle Maar, RDR, RMR, FCRR, the officer before whom the foregoing videoconference deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition declared his testimony would be given under penalty of perjury, per stipulation, that the testimony of said witness was reported by me through videoconference technology to the best of my ability, and thereafter reduced to writing;

That I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

That I am located in Wake County, North Carolina.

That the deponent stated he was located in Minnesota.

Michelle Maar

Michelle Maar, Court Reporter

Notary Public #201628400102

My Commission expires October 4, 2021